

BEFORE THE
Federal Communications Commission

WASHINGTON, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In re Matter of)	MM DOCKET NO. 93-313
)	
Amendment of Section 73.202(b))	RM-8390
Table of Allotments)	
FM Broadcast Stations)	
(Bay Minette and Daphne, Alabama))	

To: Acting Chief, Allocations Branch

COMMENTS

Baldwin Broadcasting Company, licensee of FM station WFMI, Bay Minette, Alabama, by its attorneys, hereby submits the following comments in support of the Notice of Proposed Rule Making in the above-captioned proceeding, released December 28, 1993, proposing allotment of Channel 293C3 from Bay Minette to Daphne, Alabama.¹

Daphne, Alabama is one of the few communities with more than 11,000 people which does not have its own radio station. It is a historic community with unique characteristics of its own, as

1 The petitioner also requests an extension of one business day within which to file the instant comments. Between the date the NPRM was released and the stated comment date of February 18, 1994, the Washington area was besieged with unusually severe weather which resulted in the complete closure of the Federal Government on two separate occasions. For that reason, the grant of one extra day is appropriate. Counsel's workload did not diminish during that time frame, but less time was available to address various client demands due to the inclement weather. In addition, on February 18, counsel was involved in a critical nationwide mailing on an important legislative matter involving almost 2,000 letters. Further, since the proposal to move Channel 293C3 from Bay Minette to Daphne, Alabama is not controversial, and petitioner does not expect any other party to file comments, the brief requested extension will prejudice no one.

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was demonstrated in Baldwin Broadcasting Company's Petition for Rule Making filed July 20, 1993.

While Daphne has no local transmission service, Bay Minette, Alabama (the present city of license of WFMI) will retain two existing radio services. (Incidentally, those two stations, WNXP(FM) and WPCA(FM), are under separate ownership, so that they provide independent sources of information to the citizens of Bay Minette.) Thus, Bay Minette, whose population is growing only slowly, will remain well served even after the proposed relocation of WFMI.

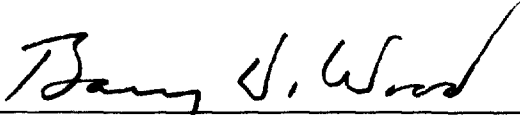
Although WFMI currently covers developments of local interest to Daphne residents, it is obligated to give primary attention to issues and events of interest in Bay Minette. Baldwin Broadcasting Company personnel have already mentioned the proposed change to several community leaders in the Daphne area, all of whom are enthusiastic about the prospect for the city having its own radio station. With the proposed change in city of license, WFMI will be focused more than ever on the needs of Daphne.

Further information relating to the substantial nature of the Daphne community is attached hereto in the form of photographs taken last month of various parts of Daphne. These photographs show a thriving business community and a representative number of religious institutions, as well as the educational and civic buildings of Daphne and structures unique to that community such as the nationally-known United States Sports Academy.

Of particular interest is the historical marker at the site of the original Baldwin County Courthouse, which recites that the court records were stolen and the courthouse moved in the dead of night by enterprising citizens of Bay Minette. Petitioner trusts that the Commission will allow Baldwin Broadcasting Company to remedy this historic injustice, in a small way, by the allotment of a first local radio transmission service to Daphne. The public interest benefit in that change is readily apparent.

Respectfully submitted,

BALDWIN BROADCASTING COMPANY

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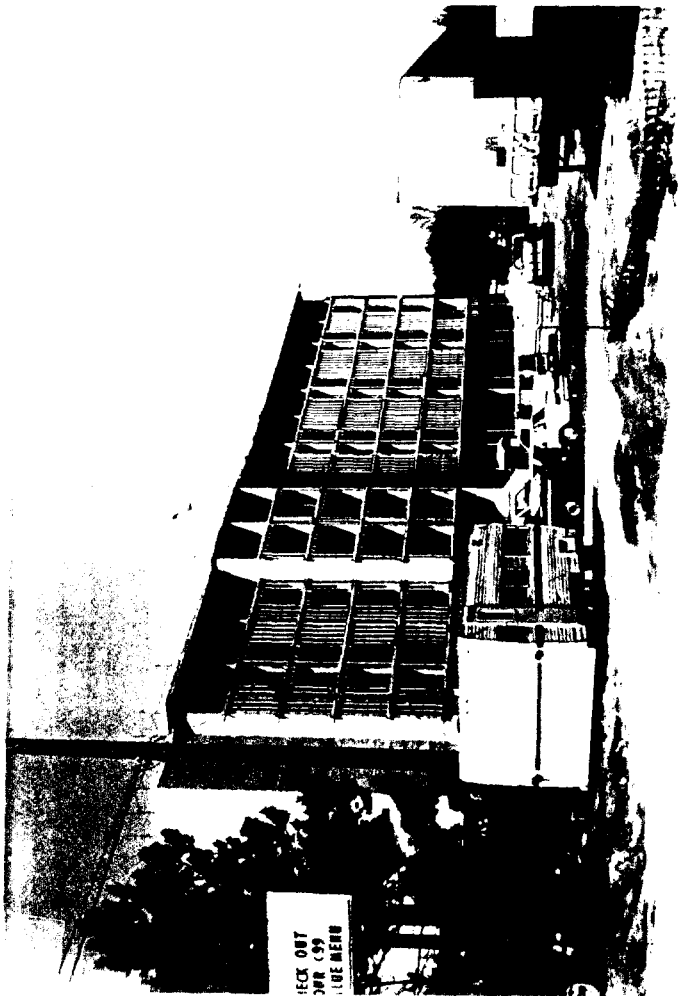
Its Attorneys

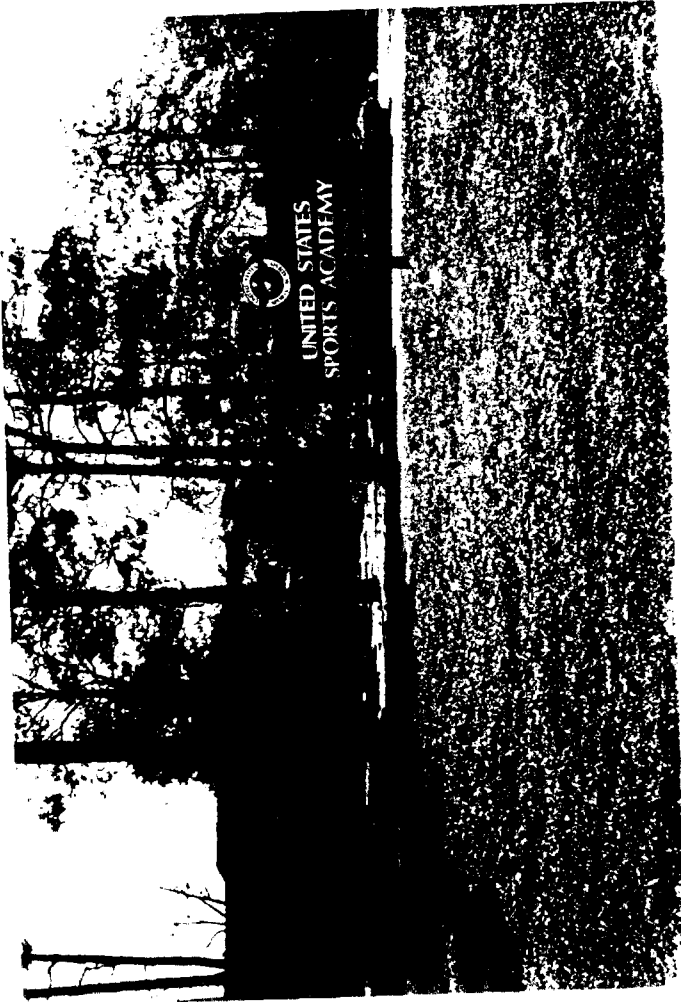
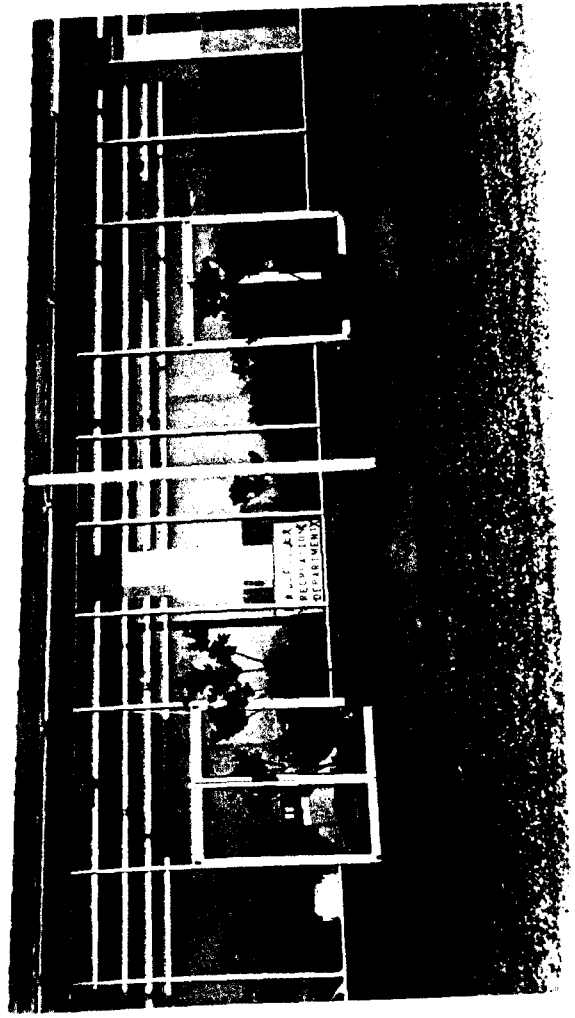
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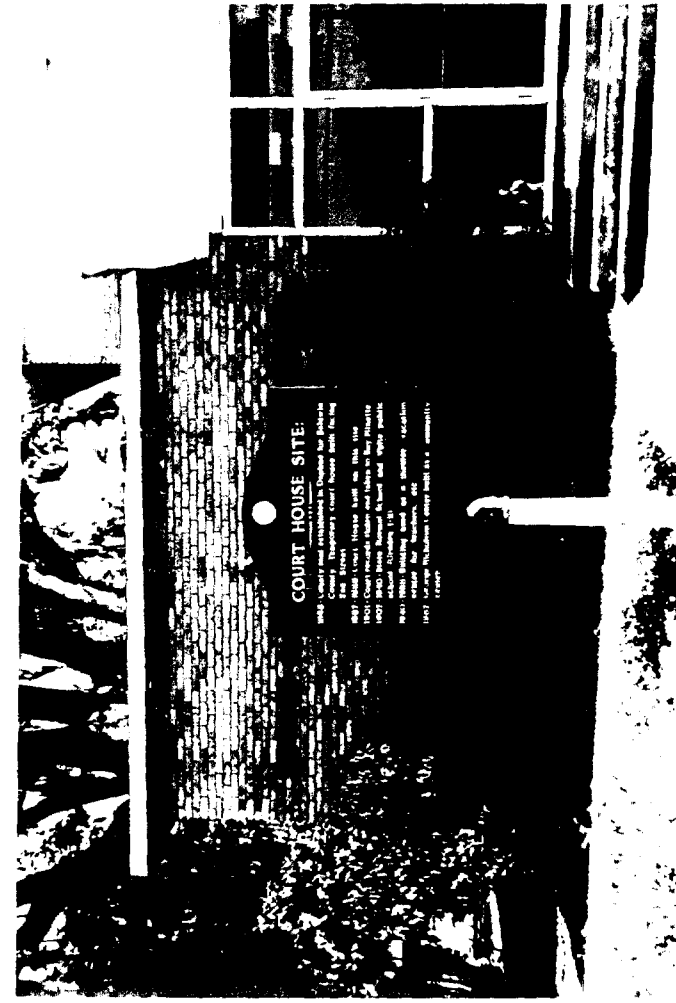
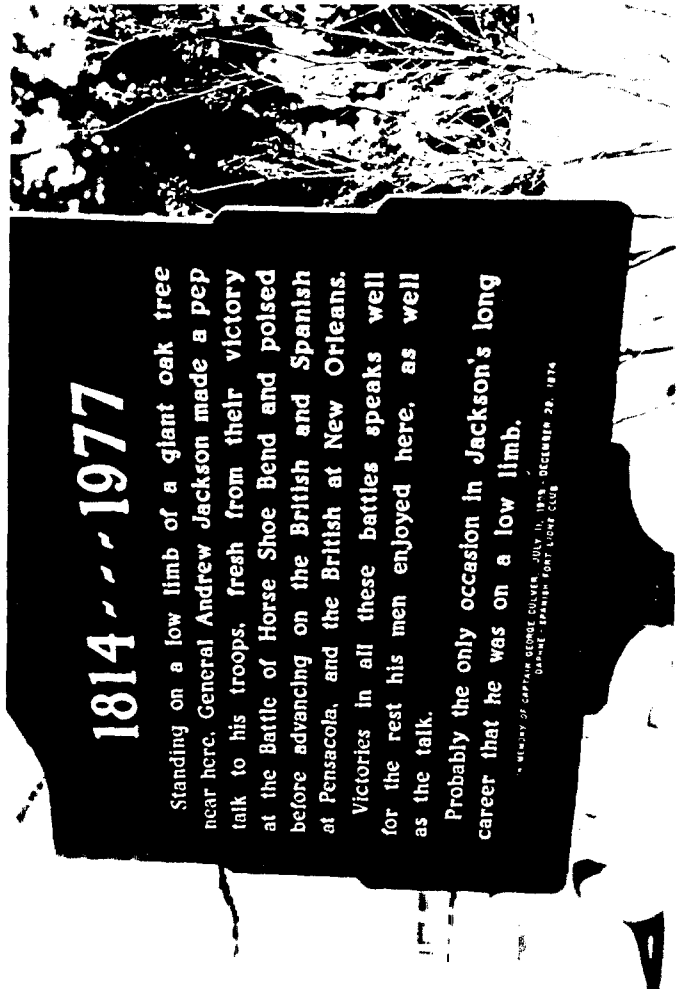
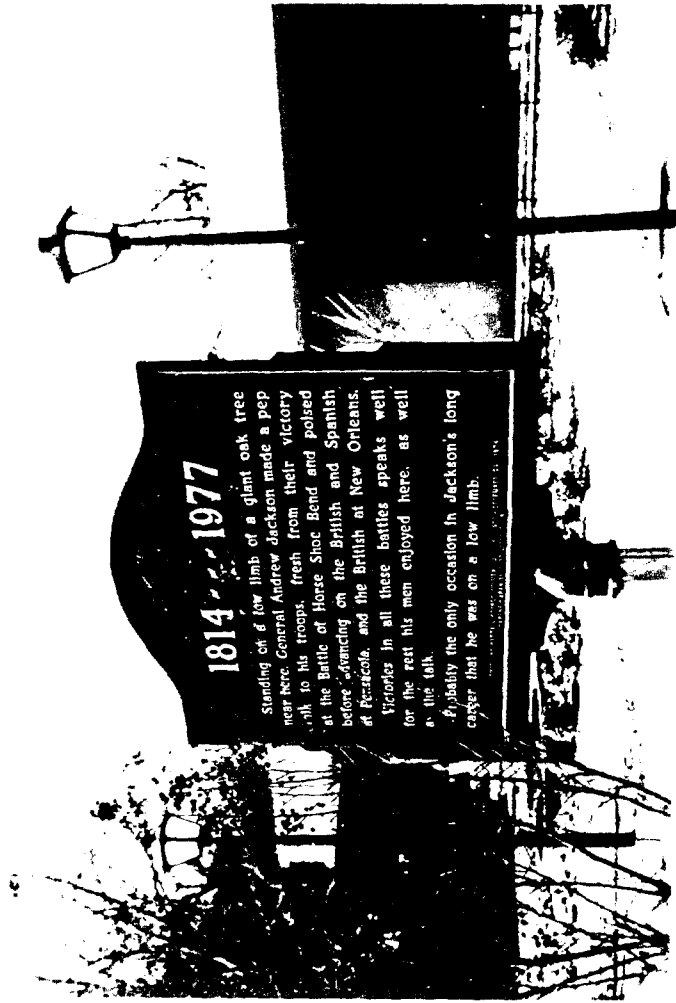
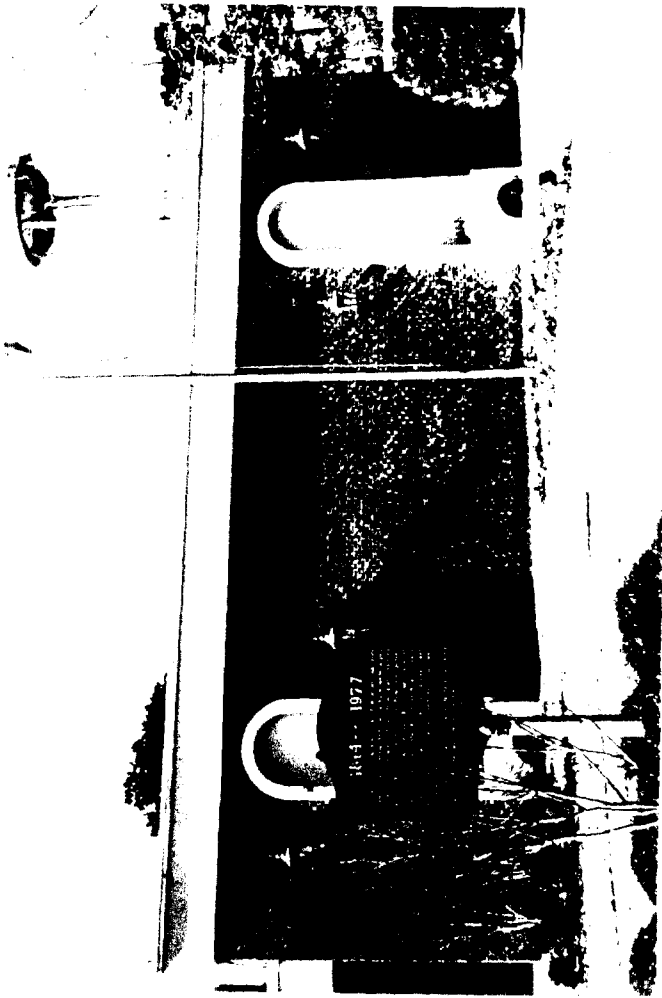
✓ MARKER SHOWING THE EASTERN
CITY LIMITS OF DAPHNE
(NOTE AMPLE ROOM FOR FURTHER
EXPANSION)



← HISTORICAL SITE INFORMATION
CENTER ON NORTHERN EDGE
OF DAPHNE







1814 ~ ~ ~ 1877

Standing on a low limb of a giant oak tree near here, General Andrew Jackson made a pep talk to his troops, fresh from their victory at the Battle of Horse Shoe Bend and poised before advancing on the British and Spanish at Pensacola, and the British at New Orleans. Victories in all these battles speaks well for the rest his men enjoyed here, as well as the talk.

Probably the only occasion in Jackson's long career that he was on a low limb.

REMARKS OF CAPTAIN GEORGE DUNN, JULY 11, 1814. DECEMBER 22, 1814.
OFFICER, SPANISH-AMERICAN WAR.

COURT HOUSE SITE:

1848 Library and residence in changed the site.
1850 Temporary Court House built on the
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